

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
**Kenneth Bednasz**

Serial No.: **10/829,637**

Filed: **April 22, 2004**

For: **Hands-Free Reminder for a Wireless  
Communications Terminal**

Docket No: **2002-060**

PATENT PENDING

Examiner: Olivia M. Marsh

Group Art Unit: 2616

Confirmation No.: 7060

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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February 12, 2007

Date

  
Kathleen Koppen

This correspondence is being:

- ☒ electronically submitted via EFS-Web

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Sir:

Applicant submits the following response in reply to the Notice of Non-Compliant Appeal Brief mailed January 17, 2007. No charges or fees should be required for entry of this response. However, if any fees or charges are required for entry of this response, the Commissioner is authorized to charge them Deposit Account 18-1167.

### **REMARKS**

The Notice alleges that the Summary of the Claimed Subject Matter fails to explicitly identify and map each independent claim 1, 16, and 30 to a corresponding page and line number in the specification. Applicant respectfully disagrees as the Summary accurately summarizes all claims on appeal, and references both the specification and the figures where appropriate. However, in a good faith effort to advance prosecution, Applicant submits the following amended Summary pursuant to 37 C.F.R. §41.37(c)(1)(v) and M.P.E.P. §1205.03(B). In light of the amended Summary, Applicant respectfully requests that the Appeal process be permitted to continue.

#### **(5) SUMMARY OF CLAIMED SUBJECT MATTER**

The present invention is directed to a wireless communications device, such as a mobile terminal, that may automatically activate and deactivate a hands-free only mode of the device based on a two-part decision. *E.g., Spec., ¶10019.*

Claim 1 is directed to a mobile terminal capable of operating in a hands-free mode. The mobile terminal comprises a transceiver to communicate with a wireless communication network and a controller configured to perform the two-part decision. *Spec., ¶¶ 0009, 0015; Figures 1-2, 4.* In the first part of the decision, the controller determines whether the device is currently located proximate a known "hands-free zone" (i.e., a geographical area such as a jurisdiction that requires the use of a hands-free device while driving a vehicle). For example, the controller may compare a current location of the mobile terminal to location information relating to the geographical area of the hands-free zone, and indicate to the user whether the mobile terminal is proximate a hands-free zone based on the current location. *E.g., Spec., ¶¶ 0019-0022, 0030; Figures 3-4.* In the second part of the decision, the controller determines the current velocity of

the device. *E.g., Spec., ¶¶ 0023-0024*. Thus, if the mobile terminal is within or near a known hands-free zone and the mobile terminal is moving at a velocity that exceeds a predetermined speed, the controller may activate the hands-free mode. *E.g., Spec., ¶ 0030, Figures 1, 4*. When the mobile terminal exits the hands-free zone, or when the velocity of the mobile terminal falls below the predetermined threshold, the controller may deactivate the hands-free mode. *E.g., Spec., ¶ 0027, 0029-0030; Figures 1, 4*.

Claim 16 is directed to a wireless communication system. The system comprises a base station to communicate with the mobile terminal, a mobile site controller communicatively connected to the base station, and a mobile terminal that automatically activates and deactivates its hands-free only mode based on the proximity of the mobile terminal to a hands-free zone and on the velocity of the mobile terminal. *E.g., Spec., ¶¶ 0016-0024, 0030; Figures 1-4*.

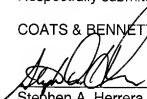
Claim 30 is directed to a method of controlling the mobile terminal operating in the wireless communication network. The method comprises determining a current location of the mobile terminal. Based on that current location and on a location indicative of the hands-free zone, the method indicates to the user whether the mobile terminal is proximate the hands-free zone. *E.g., Spec., ¶¶ 0019-0022, 0030; Figures 3-4*. The method then determines the velocity of the mobile terminal. *E.g., Spec., ¶¶ 0023-0024; Figure 3*. The hands-free only mode of the mobile terminal is activated if the mobile terminal is moving at a velocity that exceeds a predetermined speed while the mobile terminal is proximate the hands-free zone. *E.g., Spec., ¶ 0030, Figures 3-4*. The hands-free only mode of the mobile terminal is deactivated if the velocity of the mobile terminal falls below the predetermined speed while the mobile terminal is proximate the hands-free zone. *E.g., Spec., ¶ 0027, 0029-0030; Figures 3-4*.

Activating the hands-free only mode in accordance with the present invention may be accomplished in a variety of situations. In one embodiment, such as that of claim 10, the

controller may activate the hands-free only mode whenever the user places or receives a call. *Spec.*, ¶ 0030. In another embodiment, such as that of claim 28, the controller may activate the hands-free only mode whenever the mobile terminal registers with a base station. *Spec.*, ¶ 0031. In another embodiment, such as that of claim 29, the controller may activate the hands-free only mode whenever the mobile terminal hands off to a particular base station proximate a hands-free jurisdiction. *Spec.*, ¶ 0031.

Respectfully submitted,

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